

July 6, 2006

July Sixth

20-----06

The regular July Meeting of City Council was held on the above date at 7:00 p.m. in the Council Chambers located on the Fourth Floor of the Municipal Building. The following Council Members were present: Ruby B. Archie (arrived at 7:04 P.M.), P. A. "Pete" Castiglione, Jr., E. Stokes Daniels, Jr., John C. Hamlin, T. David Luther, T. Wayne Oakes, Vice-Mayor Sherman M. Saunders, Adam J. Tomer, and Mayor R. Wayne Williams, Jr. (9).

Staff Members present were: City Manager Jerry L. Gwaltney, Deputy City Manager M. Lyle Lacy, III, Assistant City Manager for Utilities Joseph C. King, City Attorney W. Clarke Whitfield, Jr., and City Clerk Annette Y. Crane, CMC.

Department/Division Directors present were Transportation Services Director Marc Adelman, Deputy Police Chief Tom Brown, Finance Director Barbara Dameron, Human Services Director Gwendolyn Edwards, Community Development Director Jerry Fischer, Community Development Coordinator Anne Moore, Housing and Development Director Dianne Moore, and Parks, Recreation, and Tourism Director Bill Sgrinia.

Mayor Williams presided.

#### **INVOCATION AND PLEDGE OF ALLEGIANCE**

Council Member Pete Castiglione offered the Invocation. The Pledge of Allegiance to the Flag followed.

Council Member Archie entered the meeting at this point.

#### **COMMUNICATIONS FROM VISITORS**

Mayor Williams recognized Purple Onion Restaurant owner Linda Whitlock. Ms. Whitlock appeared with a petition containing approximately 100 signatures, asking the City to place concrete pylons along the front of her restaurant to prevent a bad accident from occurring. Ms. Whitlock presented a picture showing tire marks on the curbing at the restaurant site. Mayor Williams requested the administration to look into the matter.

#### **AMEND AGENDA - ADD RESOLUTION OF APPOINTMENT**

Council Member Hamlin moved to amend the Agenda and add a Resolution appointing Sherman M. Saunders to the Danville-Pittsylvania Regional Industrial Facility Authority Board of Directors under New Business as Item G. The Motion was seconded by Council Member Archie and carried unanimously.

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**MINUTES**

Upon Motion by Council Member Hamlin and second by Council Member Daniels, Minutes of the June 20, 2006 Regular Meeting and the June 20, 2006 Council Work Session were approved as presented. Draft copies had been distributed to Council Members prior to the Meeting. The Minutes were approved by the following vote:

VOTE: 9-0  
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes,  
Saunders, Tomer, and Williams (9)  
NAY: None (0).

**PUBLIC HEARING - BUDGET AMENDMENTS - FY 2006-2007**

Mayor Williams announced the following budget amendments had been previously discussed by Council, introduced for First Reading, and would be further considered in Public Hearing. After the Public Hearing is closed, there would be no separate discussion of these items and they would be enacted by one motion. If a Council Member or citizen desires to discuss an item(s), it would be removed from the consent process and considered separately.

Council Member Luther requested that Item B. 2 be removed from the Consent Process and considered separately.

Mayor Williams opened the floor for a Public Hearing to consider amendments to the FY 2006-2007 Budget Appropriation Ordinance. Notice of the Public Hearing had been duly published in the Danville Register and Bee on June 29, 2006. No one present desired to be heard and the Public Hearing was closed.

Upon Motion by Council Member Archie and second by Council Member Castiglione, Ordinance No. 2006-06.09 presented by its First Reading on June 20, 2006 amending the Fiscal Year 2006-2007 Budget Appropriation Ordinance by increasing revenue to anticipate the receipt of funds from the Commonwealth of Virginia Communications Interoperability Grants Program for one (1) grant in the amount of \$75,000 to be used to procure equipment, technology and other material directly related to improving the Communications ability of First Responders in the City of Danville was adopted by the following vote:

VOTE: 9-0  
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes,  
Saunders, Tomer, and Williams (9)  
NAY: None (0).

Upon Motion by Council Member Archie and second by Council Member Castiglione, Ordinance No. 2006-06.10 presented by its First Reading on June 20, 2006 Budget Appropriations/Amendment Ordinance for Fiscal Year 2006-2007 for projects to be or being undertaken to improve the Danville community financed with Community Development Block Grant, Home Investment Partnership funds from the U. S. Department of Housing and Urban Development

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and estimated program income for a total appropriation of \$1,797,839 was adopted by the following vote:

VOTE: 9-0  
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes,  
Saunders, Tomer, and Williams (9)  
NAY: None (0).

Upon Motion by Council Member Archie and second by Council Member Castiglione, Ordinance No. 2006-06.11 presented by its First Reading on June 20, 2006 amending the Fiscal Year 2006-2007 Budget Appropriation Ordinance to provide for funds in the amount of \$51,775 for a Recreation Enrichment Program and the expanded Summer Program and the local in-kind share of \$48,559 and appropriation or same was adopted by the following vote:

VOTE: 9-0  
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes,  
Saunders, Tomer, and Williams (9)  
NAY: None (0).

**BUDGET ADOPTION-FY 2006-2007-TRANSIT FACILITY-SPRING & UNION**

Council Member Luther announced he would abstain from voting on the Transit Facility matter due to a conflict of interest.

Upon Motion by Council Member Castiglione and second by Vice-Mayor Saunders, Ordinance No. 2006-06.08 presented by its First Reading on June 20, 2006 amending the Fiscal Year 2006-2007 Budget Appropriation Ordinance to provide for Federal and State Mass Transit funding for the purpose of acquiring and renovating the Spring and Union Streets Mass Transit Facility in the amount of \$575,535 and for the local share in the amount of \$53,465 to be provided by the Transportation Fund Balance and Historic Murals of Danville for a total appropriation of \$629,000 was adopted by the following vote:

VOTE: 8-0  
AYE: Archie, Castiglione, Daniels, Hamlin, Oakes, Saunders,  
Tomer, and Williams (8)  
NAY: None (0)  
ABSTAIN: Luther (1).

**AMEND ELIGIBILITY REQUIREMENT FOR FAÇADE PROGRAM**

Council Member Luther moved adoption of a Resolution entitled:

RESOLUTION NO. 2006-07.01

A RESOLUTION APPROVING REVISED NEIGHBORHOOD REDEVELOPMENT GUIDELINES FOR THE USE OF COMMUNITY DEVELOPMENT BLOCK GRANT AND UDAG REPAYMENT FUNDS FOR THE FAÇADE PROGRAM.

The Motion was seconded by Council Member Daniels and carried by the following vote:

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VOTE: 9-0  
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes,  
Saunders, Tomer, and Williams (9)  
NAY: None (0).

**BUDGET AMENDMENT FY 2006-2007 - ARISTA INCENTIVE PACKAGE**

Upon Motion by Council Member Castiglione and second by Council Member Hamlin, an Ordinance entitled:

ORDINANCE NO. 2006-07.01

AN ORDINANCE AMENDING THE FISCAL YEAR 2006-2007 BUDGET APPROPRIATION ORDINANCE BY INCREASING REVENUES FROM THE TOBACCO REGION OPPORTUNITY FUND AND THE GOVERNOR'S OPPORTUNITY FUND FOR THE ARISTA INCENTIVE PACKAGE FOR A TOTAL APPROPRIATION IN THE AMOUNT OF \$600,000 AND APPROPRIATING THE SAME

was presented by its First Reading, as required by City Charter, to lie over before final adoption.

**BUDGET AMENDMENT FY 2006-2007 - COMPREHENSIVE SERVICES ACT FUNDS**

Upon Motion by Council Member Archie and second by Council Member Oakes, an Ordinance entitled:

ORDINANCE NO. 2006-07.02

AN ORDINANCE AMENDING THE FISCAL YEAR 2006-2007 BUDGET APPROPRIATION ORDINANCE BY APPROPRIATING COMPREHENSIVE SERVICES ACT FUNDS AND PROVIDING LOCAL MATCHING FUNDS TO A TOTAL AMOUNT OF \$2,343,427

was presented by its First Reading, as required by City Charter, to lie over before final adoption.

**BUDGET AMENDMENT FY 2006-2007-ELECTRONIC MONITORING & OUTREACH**

Upon Motion by Council Member Castiglione and second by Council Member Daniels, an Ordinance entitled:

ORDINANCE NO. 2006-07.03

AN ORDINANCE AMENDING THE FISCAL YEAR 2006-2007 BUDGET APPROPRIATION ORDINANCE FOR A GRANT FROM THE DEPARTMENT OF JUVENILE JUSTICE IN THE AMOUNT OF \$121,582 AND A LOCAL SHARE OF \$26,324 FOR A TOTAL APPROPRIATING OF \$147,906 TO PROVIDE FOR THE ELECTRONIC MONITORING AND OUTREACH DETENTION PROGRAMS AND OTHER CONTRACTED SERVICES FOR THE CITY OF DANVILLE AT THE W. W. MOORE, JR. DETENTION HOME AND APPROPRIATING SAME

was presented by its First Reading, as required by City Charter, to lie over before final adoption.

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**BUDGET AMENDMENT FY 2006-2007-PITTSYLVANIA COUNTY OUTREACH**

Upon Motion by Council Member Daniels and second by Council Member Tomer, an Ordinance entitled:

ORDINANCE NO. 2006-07.04

AN ORDINANCE AMENDING THE FISCAL YEAR 2006-2007 BUDGET APPROPRIATION ORDINANCE BY ANTICIPATING REVENUES IN THE AMOUNT OF \$64,800 FROM THE OPERATION OF AN ELECTRONIC MONITORING PROGRAM AND \$54,027 FROM THE OPERATION OF AN OUTREACH DETENTION PROGRAM FOR PITTSYLVANIA COUNTY FOR A TOTAL APPROPRIATION OF \$118,827 AND APPROPRIATING SAME

was presented by its First Reading, as required by City Charter, to lie over before final adoption.

**AMEND SECTIONS OF CHAPTER 39 - TAXICAB REGULATIONS**

Mayor Williams asked City Manager Gwaltney for an update on the Taxicab Regulations. Mr. Gwaltney stated Police Chief Broadfoot and staff had met with the City's taxicab owners to review what changes were needed in the present Ordinance. All agreed the fares needed to be raised due to increases in operating costs. The proposed amendments reflect changes as suggested by Police personnel and taxicab owners. In response to a question relating to an owner being allowed to have a gun in his/her taxicab, Mr. Gwaltney advised that owners were allowed to do so as long as they had required permits. In response to Vice-Mayor Saunders, Mr. Gwaltney advised complaints should be referred to the Police Department.

Council Member Daniels noted the changes provided no information about "waiting time" for taxicabs. Mr. Gwaltney said it was not in the proposed regulations because taxi owners felt the old regulations were sufficient. Mr. Gwaltney further stated if Council felt "waiting time" regulations should be included, then Section 39-17 could be amended to do so. Council Member Luther and Vice-Mayor Saunders felt "waiting time" should be in the new regulations. It was the consensus of Council that "waiting time" should be included in amendments to Chapter 39-17. The City Attorney agreed to do so.

**AMEND CODE SECTION 39-12 OF CHAPTER 39 - TAXICAB REGULATIONS**

Council Member Tomer moved adoption of an Ordinance entitled:

ORDINANCE NO. 2006-07.05

AN ORDINANCE AMENDING SECTION 39-12 OF CHAPTER 39 OF THE DANVILLE CITY CODE TO UPDATE TAXICAB REGULATIONS.

The Motion was seconded by Vice-Mayor Saunders and carried by the following vote:

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VOTE: 9-0  
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes,  
Saunders, Tomer, and Williams (9)  
NAY: None (0).

**AMEND CODE SECTION 39-13 OF CHAPTER 39 - TAXICAB REGULATIONS**

Council Member Tomer moved adoption of an Ordinance entitled:

ORDINANCE NO. 2006-07.06

AN ORDINANCE AMENDING SECTION 39-13 OF CHAPTER 39 OF THE DANVILLE CITY CODE TO UPDATE TAXICAB REGULATIONS.

The Motion was seconded by Vice-Mayor Saunders and carried by the following vote:

VOTE: 9-0  
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes,  
Saunders, Tomer, and Williams (9)  
NAY: None (0).

**AMEND CODE SECTION 39-14 OF CHAPTER 39 - TAXICAB REGULATIONS**

Council Member Tomer moved adoption of an Ordinance entitled:

ORDINANCE NO. 2006-07.07

AN ORDINANCE AMENDING SECTION 39-14 OF CHAPTER 39 OF THE DANVILLE CITY CODE TO UPDATE TAXICAB REGULATIONS.

The Motion was seconded by Vice-Mayor Saunders and carried by the following vote:

VOTE: 9-0  
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes,  
Saunders, Tomer, and Williams (9)  
NAY: None (0).

**AMEND CODE SECTION 39-17 OF CHAPTER 39 - TAXICAB REGULATIONS**

Council Member Tomer moved adoption of an Ordinance (amended to include "waiting time for taxicabs") entitled:

ORDINANCE NO. 2006-07.08

AN ORDINANCE AMENDING SECTION 39-17 OF CHAPTER 39 OF THE DANVILLE CITY CODE TO UPDATE TAXICAB REGULATIONS.

The Motion was seconded by Vice-Mayor Saunders and carried by the following vote:

VOTE: 9-0  
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes,  
Saunders, Tomer, and Williams (9)

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NAY: None (0).

**AMEND CODE SECTION 39-26 OF CHAPTER 39 - TAXICAB REGULATIONS**

Council Member Tomer moved adoption of an Ordinance entitled:

ORDINANCE NO. 2006-07.09

AN ORDINANCE AMENDING SECTION 39-26 OF CHAPTER 39 OF THE DANVILLE CITY CODE TO UPDATE TAXICAB REGULATIONS.

The Motion was seconded by Vice-Mayor Saunders and carried by the following vote:

VOTE: 9-0  
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes,  
Saunders, Tomer, and Williams (9)  
NAY: None (0).

**AMEND CODE SECTION 39-31 OF CHAPTER 39 - TAXICAB REGULATIONS**

Council Member Tomer moved adoption of an Ordinance entitled:

ORDINANCE NO. 2006-07.10

AN ORDINANCE AMENDING SECTION 39-31 OF CHAPTER 39 OF THE DANVILLE CITY CODE TO UPDATE TAXICAB REGULATIONS.

The Motion was seconded by Vice-Mayor Saunders and carried by the following vote:

VOTE: 9-0  
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes,  
Saunders, Tomer, and Williams (9)  
NAY: None (0).

**AMEND CODE SECTION 39-36 OF CHAPTER 39 - TAXICAB REGULATIONS**

Council Member Tomer moved adoption of an Ordinance entitled:

ORDINANCE NO. 2006-07.11

AN ORDINANCE AMENDING SECTION 39-36 OF CHAPTER 39 OF THE DANVILLE CITY CODE TO UPDATE TAXICAB REGULATIONS.

The Motion was seconded by Vice-Mayor Saunders and carried by the following vote:

VOTE: 9-0  
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes,  
Saunders, Tomer, and Williams (9)  
NAY: None (0).

**AMEND CODE SECTION 39-39 OF CHAPTER 39 - TAXICAB REGULATIONS**

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Council Member Tomer moved adoption of an Ordinance entitled:

ORDINANCE NO. 2006-07.12

AN ORDINANCE AMENDING SECTION 39-39 OF CHAPTER 39 OF THE DANVILLE CITY CODE TO UPDATE TAXICAB REGULATIONS.

The Motion was seconded by Vice-Mayor Saunders and carried by the following vote:

VOTE: 9-0  
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes,  
Saunders, Tomer, and Williams (9)  
NAY: None (0).

**AMEND CODE SECTION 39-40 OF CHAPTER 39 - TAXICAB REGULATIONS**

Council Member Tomer moved adoption of an Ordinance entitled:

ORDINANCE NO. 2006-07.13

AN ORDINANCE AMENDING SECTION 39-40 OF CHAPTER 39 OF THE DANVILLE CITY CODE TO UPDATE TAXICAB REGULATIONS.

The Motion was seconded by Vice-Mayor Saunders and carried by the following vote:

VOTE: 9-0  
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes,  
Saunders, Tomer, and Williams (9)  
NAY: None (0).

**AMEND CODE SECTION 39-43 OF CHAPTER 39 - TAXICAB REGULATIONS**

Council Member Tomer moved adoption of an Ordinance entitled:

ORDINANCE NO. 2006-07.14

AN ORDINANCE AMENDING SECTION 39-43 OF CHAPTER 39 OF THE DANVILLE CITY CODE TO UPDATE TAXICAB REGULATIONS.

The Motion was seconded by Vice-Mayor Saunders and carried by the following vote:

VOTE: 9-0  
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes,  
Saunders, Tomer, and Williams (9)  
NAY: None (0).

**AMEND CODE SECTION 39-44 OF CHAPTER 39 - TAXICAB REGULATIONS**

Council Member Tomer moved adoption of an Ordinance entitled:



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ORDINANCE NO. 2006-07.15

AN ORDINANCE AMENDING SECTION 39-44 OF CHAPTER 39 OF THE DANVILLE CITY CODE TO UPDATE TAXICAB REGULATIONS.

The Motion was seconded by Vice-Mayor Saunders and carried by the following vote:

VOTE: 9-0  
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes,  
Saunders, Tomer, and Williams (9)  
NAY: None (0).

**AMEND CODE SECTION 39-45 OF CHAPTER 39 - TAXICAB REGULATIONS**

Council Member Tomer moved adoption of an Ordinance entitled:

ORDINANCE NO. 2006-07.16

AN ORDINANCE AMENDING SECTION 39-45 OF CHAPTER 39 OF THE DANVILLE CITY CODE TO UPDATE TAXICAB REGULATIONS.

The Motion was seconded by Vice-Mayor Saunders and carried by the following vote:

VOTE: 9-0  
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes,  
Saunders, Tomer, and Williams (9)  
NAY: None (0).

**AMEND CODE SECTION 39-55 OF CHAPTER 39 - TAXICAB REGULATIONS**

Council Member Tomer moved adoption of an Ordinance entitled:

ORDINANCE NO. 2006-07.17

AN ORDINANCE AMENDING SECTION 39-55 OF CHAPTER 39 OF THE DANVILLE CITY CODE TO UPDATE TAXICAB REGULATIONS.

The Motion was seconded by Vice-Mayor Saunders and carried by the following vote:

VOTE: 9-0  
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes,  
Saunders, Tomer, and Williams (9)  
NAY: None (0).

**APPOINT SHERMAN SAUNDERS TO INDUSTRIAL FACILITY AUTHORITY**

Council Member Archie moved adoption of a Resolution entitled:

RESOLUTION NO. 2006-07.02

A RESOLUTION APPOINTING SHERMAN M. SAUNDERS AS A REGULAR MEMBER OF THE BOARD OF DIRECTORS OF THE DANVILLE-PITTSYLVANIA REGIONAL INDUSTRIAL FACILITY AUTHORITY REPLACING JOHN HAMLIN.

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The Motion was seconded by Council Member Hamlin and adopted by the following vote:

VOTE: 9-0  
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Oakes,  
Saunders, Tomer, and Williams (9)  
NAY: None (0).

Deputy City Manager Lacy announced the next regular meeting of the Danville-Pittsylvania Regional Industrial Facility Authority would be held on Monday, July 10, 12 noon, at the Dan River Small Business Development Center.

### **COMMUNICATIONS**

City Manager Gwaltney called attention to the Monthly Financial Report that had been placed at the desk of each Council Member. He also called Council's attention to the registration form for the Virginia Municipal League's Annual Conference, which will be held in October. He encouraged Council Members to get in touch with Vicky Farmer, his Executive Assistant, in order to register for the event.

There were no communications from the City Attorney and City Clerk.

### **ROLL CALL**

Council Members Archie, Castiglione, and Mayor Williams commended the Parks, Recreation, and Tourism Department for the excellent 4<sup>th</sup> of July celebration. Mayor Williams stated the Danville Symphony Orchestra did an outstanding job in providing patriotic music during the event.

Council member Tomer thanked Council Members for the gracious welcome he had received and for bringing him up to date on Council matters.

Mayor Williams thanked Council for the honor of being elected Mayor. He said there was a new Council, a new Fiscal Year and renewed energy and asked Council Members to feel free to bring any concerns to his attention.

The Meeting adjourned at 7:28 P.M.

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MAYOR

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CLERK